

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:97-00156-03

ALEXANDER MACY DAWSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On December 13, 2006, the United States of America appeared by W. Chad Noel, Assistant United States Attorney, and the defendant, Alexander Macy Dawson, appeared in person and by his counsel, Edward H. Weis, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by Senior United States Probation Officer Keith E. Zutaut, the defendant having commenced a twenty-four-month term of supervised release in this action on December 30, 2004, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on September 23, 2004.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant used controlled substances as evidenced by a positive urine screen for cocaine submitted by him on September 9, 2005, and his admission on May 11, 2006, that he used marijuana on May 6, 2006; (2) that the defendant failed to file a monthly report for each of the months from March 2006, until the filing of the petition on November 6, 2006; (3) that the defendant failed to notify the probation officer of his change in residence and employment in that he was no longer working at Kroger's and he was no longer residing with his mother or girlfriend as of approximately October 19, 2006; and (4) that the defendant failed to report for urine screens as instructed on May 5 and 26, July 7 and 17, and August 18, 2006, as directed by the probation officer; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate

the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

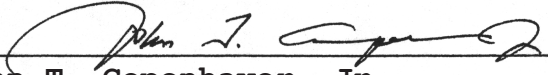
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE (12) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be designated to an institution as close to Charleston, West Virginia, as feasible.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 20, 2006



John T. Copenhaver, Jr.
United States District Judge